

**Re: Third Site ERH system**

message

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Fri, Jan 17, 2020 at 5:09 PM

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David

The Third Site Trust Fund rejects MM's cover letter and sampling plan, both dated January 10, 2020.

First, the self-serving cover letter repeats prior unjustified assertions and refers to determining the source of "this new groundwater contamination." That assertion rejects in advance one of the potential sources of the unremediated contamination in monitoring wells P-1 and P-2 to be investigated – contamination within the treatment zone that is not "new" but rather is existing contamination that was not effectively treated by the ERH system.

Second, the MM January 10, 2020 plan rejects entirely the second point in Geosyntec's letter of December 20, 2019 (p. 5) – the sampling of existing monitoring wells as a first step to help understand the current distribution of VOCs within the sheet pile enclosed DNAPL area and to assist in identifying appropriate locations for discrete soil sampling.

Rather, MM's sampling plan proposes to move immediately to discrete sampling and also to attempt to use the sampling probes to extract not only soil but groundwater as well. No other groundwater sampling is proposed. That may not work because the probes would likely need to be in the ground an impractically long time in order to collect significant amounts of groundwater in the less porous areas. And the failure to sample the existing wells first, may lead to wasteful and unnecessary discrete sampling or fail to identify discrete sampling that may be needed.

Third, MM proposes to collect the samples using MM's "hot soil sampling" technique. We have repeatedly rejected the idea, first put forward in MM's plan of November 29, 2019, of heating the site before sampling. It was expressly rejected in my email of Dec. 2, 2019, and rejected again in Geosyntec's letter of Dec. 20, 2019 (point 1, p. 4). As Geosyntec noted, "The electrode wells should not be restarted, and no additional heating should be done .... Performance monitoring data should be collected at ambient temperatures." (*Id.*) MM's approach of not allowing time for the site to cool down before sampling is also inconsistent with Section 8.1 of the Site Management Plan.

Ramboll and Geosyntec, will prepare and implement a sampling plan (after approval by EPA). As MM has suggested, the sampling plan that is to be submitted by them to EPA will include discrete samples to a depth of 46 feet.

We expect MM to cooperate in temporarily removing equipment from the DNAPL area as needed prior to sampling, storing the equipment on site, and if directed to do so by the trust, reinstalling that equipment.

The Trust reserves its right to seek to recover from MM and/or its bonding company all its costs, including the cost of preparing a sampling plan and of conducting the sampling, and reserves the right to terminate MM including for the reasons previously noted and noted in this email. Additionally, the Trust reserves all of its other rights under the Contract the bond and at common law.

Norman W. Bernstein, Trustee